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NEW HAMPSHIRE CODE OF ADMINISTRATIVE RULES

CHAPTER Env-A 400 ACID DEPOSITION CONTROL PROGRAM

Statutory Authority: RSA 125-D:3

PART Env-A 401 PURPOSE

Env-A 401.01 Purpose. The purpose of this chapter is to reduce the adverse effects of acid deposition on ecosystems and public health by reducing sulfur dioxide emissions from sulfur-emitting sources within New Hampshire pursuant to RSA 125-D:3.

Source. #120, eff 8-31-73; ss by #721.5, eff 12-7-75; ss by #718, eff 12-7-75; ss by #1717, eff 2-19-81; ss by #2332, eff 4-29-83; ss by #2938, eff 12-27-84; ss by #5033, eff 12-27-90; EXPIRED 12-27-96

New. #6424, INTERIM, eff 1-9-97, EXPIRES 5-9-97; ss and moved by #6469-B, eff 3-5-97 (from Env-A 406)

PART Env-A 402 SCOPE

Env-A 402.01 Scope. This chapter shall apply to all sources with a baseline average emission rate of 100 tons or more of sulfur dioxide.

Source. #120, eff 8-31-73; ss by #721.5, eff 12-7-75; ss by #718, eff 12-7-75; ss by #1717, eff 2-19-81; ss by #2332, eff 4-29-83; ss by #2938, eff 12-27-84; ss by #5033, eff 12-27-90; EXPIRED 12-27-96

New. #6424, INTERIM, eff 1-9-97, EXPIRES 5-9-97; ss and moved by #6469-B, eff 3-5-97 (from Env-A 406)

PART Env-A 403 REQUIRED EMISSION REDUCTIONS FROM CLASS A MAJOR SOURCES

Env-A 403.01 Limitations on Percentage of Baseline. Pursuant to RSA 125-D:3,I(b) annual sulfur dioxide emissions from each Class A major source, except as provided by Env-A 405.01, shall not exceed 75 percent of such source's portion of the baseline emissions.

Source. #120, eff 8-31-73; ss by #721.5, eff 12-7-75; ss by #718, eff 12-7-75; ss by #1717, eff 2-19-81; ss by #2332, eff 4-29-83; ss by #2938, eff 12-27-84; ss by #5033, eff 12-27-90; EXPIRED 12-27-96

New. #6424, INTERIM, eff 1-9-97, EXPIRES 5-9-97; ss and moved by #6469-B, eff 3-5-97 (from Env-A 406)

Env-A 403.02 Enforceability. The emission limits specified in Env-A 403.01, above, shall be enforced by permit conditions pursuant to Env-A 600.

Source. #6469-B, eff 3-5-97 (from Env-A 406)

PART Env-A 404 REQUIRED EMISSION REDUCTIONS FROM CLASS B MAJOR SOURCES

Env-A 404.01 Limitations on Individual Sources. Pursuant to RSA 125-D:3,I(e) annual sulfur dioxide emissions from each Class B major source, except as provided by Env-A 405.02, shall have an average emission rate not to exceed 1.6 lbs. of sulfur dioxide per million BTU input, equivalent to no. 6 oil with 1.5 percent sulfur by weight, which is 75 percent of the baseline average emission rate for Class B major sources.

Source. #120, eff 8-31-73; ss by #721.5, eff 12-7-75; ss by #718, eff 12-7-75; ss by #1717, eff 2-19-81; ss by #2332, eff 4-29-83; ss by #2938, eff 12-27-84; ss by #5033, eff 12-27-90; EXPIRED 12-27-96

New. #6424, INTERIM, eff 1-9-97, EXPIRES 5-9-97; ss and moved by #6469-B, eff 3-5-97 (from Env-A 406)

Env-A 404.02 Enforceability. The required emission rate limit specified in Env-A 404.01, above, shall be enforced by permit condition pursuant to Env-A 600.

Source. #6469-B, eff 3-5-97 (from Env-A 406)

Env-A 404.03 Maximum Total Emissions. Pursuant to RSA 125-D:3,I(c), for each running 4-year period the combined sulfur dioxide emissions from all class B major sources shall not exceed 75 percent of their combined baseline sulfur dioxide emissions.

Source. #6469-B, eff 3-5-97 (from Env-A 406)

Env-A 404.04 Division Responsibilities. The division shall verify compliance with the provisions of Env-A 404.03 by reviewing the reports required by this chapter.

Source. #6469-B, eff 3-5-97 (from Env-A 406)

PART Env-A 405 EMISSIONS FROM MULTIPLE SOURCES UNDER COMMON OWNERSHIP

Env-A 405.01 Provisions for Class A Major Sources. Pursuant to RSA 125-D:3,I(f), owners or operators of 2 or more sources under common ownership that are subject to the provisions of Env-A 403 may combine the annual emissions of all such sources to demonstrate that the total annual emissions of such sources do not exceed 75 percent of their baseline emissions for Class A major sources.

Source. #718, eff 12-7-75; ss by #1717, eff 2-19-81; ss by #2332, eff 4-29-83; ss by #2938, eff 12-27-84; ss by #5033, eff 12-27-90; EXPIRED 12-27-96

New. #6424, INTERIM, eff 1-9-97, EXPIRES 5-9-97; ss and moved by #6469-B, eff 3-5-97 (from Env-A 406)

Env-A 405.02 Provisions for Class B Major Sources. Pursuant to RSA 125-D:3,I(f), owners or operators of applicable sources under common ownership that are subject to the provisions of Env-A 404 may average the emission rates of all such sources on a BTU input basis to demonstrate compliance with the average emission rate for Class B major sources.

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Source. #718, eff 12-7-75; ss by #1717, eff 2-19-81; ss by #2332, eff 4-29-83; ss by #2938, eff 12-27-84; ss by #5033, eff 12-27-90; EXPIRED 12-27-96

New. #6424, INTERIM, eff 1-9-97, EXPIRES 5-9-97; ss and moved by #6469-B, eff 3-5-97 (from Env-A 406)

PART Env-A 406 RECORDKEEPING AND REPORTING REQUIREMENTS

Env-A 406.01 Recordkeeping Requirements. All sources subject to this chapter meeting the applicability criteria of Env-A 402 shall be subject to the recordkeeping requirements specified in Env-A 901.

Source. #4250, eff 3-31-87; ss by #5034, eff 12-27-90; EXPIRED 12-27-96

New. #6423, INTERIM, eff 1-9-97, EXPIRES 5-9-97; ss and moved by #6469-B, eff 3-5-97 (formerly Env-A 406.08)

Env-A 406.02 Reporting Requirements. All sources subject to this chapter meeting the applicability criteria of Env-A 402 shall be subject to the reporting requirements specified in Env-A 901.

Source. #4250, eff 3-31-87; ss by #5034, eff 12-27-90; EXPIRED 12-27-96

New. #6423, INTERIM, eff 1-9-97, EXPIRES 5-9-97; ss and moved by #6469-B, eff 3-5-97 (formerly Env-A 406.08)